

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** REQUEST FOR (1) (NORTH) REAR YARD SETBACK VARIANCE FROM 30 FT TO 15 FT; AND (2) (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 7 FEET FOR A PROPOSED DETACHED GARAGE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (CHAD M. DUNBAR, APPLICANT).

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Earnest McDonald **EXT.** 7387

**Agenda Date** 10-27-03 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR (1) (NORTH) REAR YARD SETBACK VARIANCE FROM 30 FT TO 15 FT; AND (2) (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 7 FEET FOR A PROPOSED DETACHED GARAGE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (CHAD M. DUNBAR, APPLICANT); OR
2. **DENY** THE REQUEST FOR (1) (NORTH) REAR YARD SETBACK VARIANCE FROM 30 FT TO 15 FT; AND (2) (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 7 FEET FOR A PROPOSED DETACHED GARAGE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (CHAD M. DUNBAR, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #4, Henley)

(Earnest McDonald, Principal Coordinator)

<b>GENERAL INFORMATION</b>	CHAD M. DUNBAR 1213 WAVERLY WAY LONGWOOD, FL 32750	R-1AA DISTRICT; LDC SECTION 206(b) & (c)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT REQUESTS REAR AND SIDE YARD VARIANCES FOR A PROPOSED DETACHED GARAGE THAT WOULD BE 1,500 SF (30 FT X 50 FT) IN SIZE.</li> <li>• THE GARAGE WOULD ENCROACH 15 FT AND 3 FT INTO THE RESPECTIVE REAR AND SIDE YARD SETBACKS.</li> </ul>	
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF A VARIANCE, AS STATED IN LDC SECTION 30.43(b)(3). STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> <li>○ NO SPECIAL CONDITIONS EXIST, WHICH ARE PECULIAR TO THE PROPOSED DETACHED GARAGE. THE GARAGE COULD BE RELOCATED TO COMPLY WITH THE MINIMUM APPLICABLE SETBACKS.</li> <li>○ THE APPLICANT WOULD RETAIN REASONABLE USE</li> </ul> </li> </ul>	

	<p>OF THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCES.</p> <ul style="list-style-type: none"><li>○ THE PROPOSED STRUCTURE WOULD BEGIN A TREND OF ENCROACHMENT INTO THE MINIMUM REAR AND SIDE YARD SETBACKS WITHOUT THE DEMONSTRATION OF A HARDSHIP.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE VARIANCES REQUESTED AND MAKE THE APPROPRIATE FINDINGS OF FACT, UNLESS A HARDSHIP CAN BE DEMONSTRATED BY THE APPLICANT. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"><li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED DETACHED GARAGE DEPICTED ON THE ATTACHED SITE PLAN; AND</li><li>• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, FOLLOWING INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul>

R 434

ROADWAY

89

4 W

61 92

0.7

③

5' WALK

7' UTILITY EASEMENT

15 FT

15' OFF REAR  
PROPERTY LINE

DETACHED  
GARAGE  
1500 S.F.

50'

30'

side

7' OFF PROPERTY LINE

LOT 8  
BLOCK A

METAL SHED  
ON WOOD

N 57°04'19" W

FENCE IS  
0.0' OFF

LO  
BLOCK

SEPTIC &  
DRAIN FIELD

SINGLE STORY  
WOOD FRAMED  
RESIDENCE #1213

COVERED  
ENTRY

DRIVE

236.51  
RADIAL

WAVERLY WAY  
56' PLATTED RIGHT-OF-WAY  
ASPHALT ROADWAY

N



LO  
OCK

FBI  
7.9

305.36'  
RADIAL

②

**VARIANCE  
APPLICATION TO THE SEMINOLE COUNTY  
BOARD OF ADJUSTMENT**

APPLICANT: CHAD M. DUNBAR

COMPLETE MAILING ADDRESS: P.O. Box 161924, ALTAMONTE SPRINGS, FL 32716

PHONE: WORK: 407-834-1765 HOME: 407-265-0670 FAX: 407-834-1895

CELL PHONE: 407-948- Email: chad@dunbar-construction.com

PROPERTY OWNER OF RECORD: CHAD M. & JENNIFER B. DUNBAR

SITE OF REQUEST: 1213 LAVERLY WAY, LGWD., FL 32750

STATEMENT OF HARDSHIP: WOULD LIKE TO BUILD A STAND ALONE GARAGE  
W/O HAVING TO REMOVE ANY TREES.

REQUEST: BUILD A STAND ALONE GARAGE, APPROX. 30' X 50', REDUCE REAR<sup>rear</sup>  
SETBACK FROM 25' TO 15' AND REDUCE SIDE (WEST) SETBACK FROM 10' TO 7'<sup>side</sup>

LEGAL DESCRIPTION OF PROPERTY: LEG LOT 8 BLK A KNOLLWOOD 3RD  
ADD AMENDED PLAT PB16 PG62

TAX PARCEL ID NO. 01-21-29-501-0A00-0080

KNOWN CODE ENFORCEMENT VIOLATIONS ON PROPERTY: NONE

**EACH APPLICATION WILL BE ACCOMPANIED BY THE FOLLOWING:**

Applicant must be the property owner. Someone other than the property owner may act on the property owner's behalf at the public hearing; however, a letter of authorization from the property owner must be submitted to the County. One 8.5" X 14" site plan and application fee.

SIGNATURE OF APPLICANT: CHAD M. DUNBAR DATE: 9/12/03

**FOR OFFICE USE ONLY**

FEE: \_\_\_\_\_ CK# \_\_\_\_\_ RECEIPT# \_\_\_\_\_ DATE \_\_\_\_\_ ZONING DISTRICT: R-1AAA  
FLU-LDR

FURTHER DESCRIBED AS: \_\_\_\_\_

LOT SIZE: \_\_\_\_\_

**PROCESSING:**

A. LEGAL AD TO NEWSPAPER 1 B. NOTICE TO PROPERTY OWNERS \_\_\_\_\_  
C. PLACARDS / NOTICE 1 D. PROJECT NO. 03-30000154  
E. BOARD ACTION / DATE 1 F. LETTER TO APPLICANT \_\_\_\_\_  
G. PUD SETBACKS \_\_\_\_\_

INITIAL CONFERENCE \_\_\_\_\_

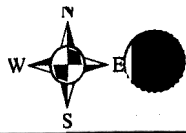
BCC DISTRICT \_\_\_\_\_

PLANNER JV

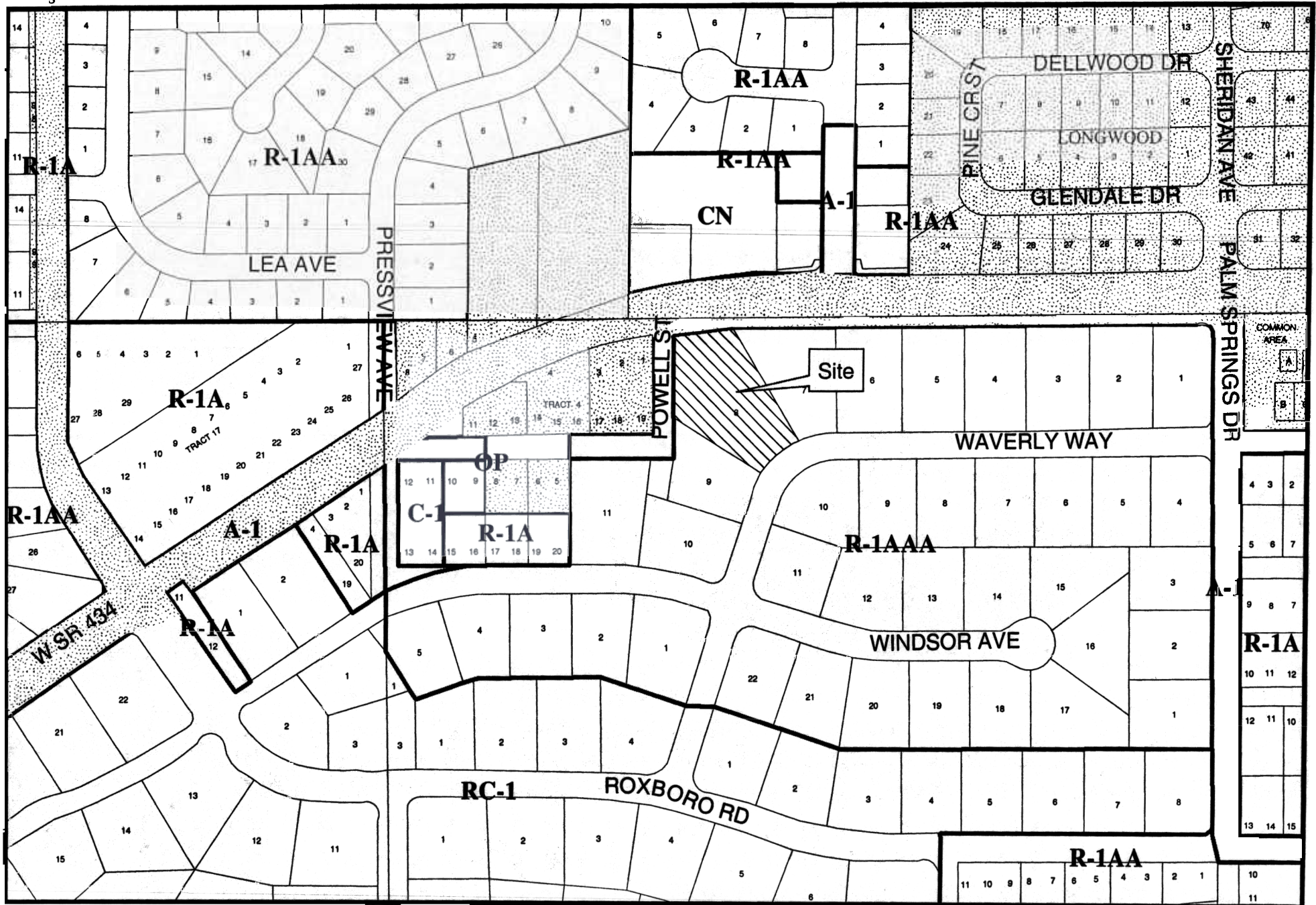
FILE NO. BV2003-151

MEETING DATE \_\_\_\_\_





Chad Dundar  
1213 Waverly Way



0 150 300 600 Feet

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On October 27, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 8 BLK A KNOLLWOOD 3<sup>RD</sup> ADD AMENDED PLAT PB 16 PB 62

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

**FINDINGS OF FACT**

**Property Owners:** CHAD M. & JENNIFER B. DUNBAR  
1213 WAVERLY WAY  
LONGWOOD, FL 32750

**Project Name:** 1213 WAVERLY WAY

**Requested Development Approval:**

- 1 (NORTH) REAR YARD SETBACK VARIANCE FROM 30 FT TO 15 FT FOR A PROPOSED DETACHED GARAGE; AND
2. (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FT TO 7 FT FOR A PROPOSED DETACHED GARAGE.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Earnest McDonald  
1101 East First Street  
Sanford, Florida 32771

Order

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

1. The rear yard setback variance shall apply only to the proposed detached garage depicted on the attached site plan.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: \_\_\_\_\_  
Matthew West  
Planning Manager

STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: